

Appl. No. 10/708,406
Response Dated July 17, 2006
Reply to Office Action Dated March 15, 2006

REMARKS/ARGUMENTS

The present application includes claims 1-35. In the current Office Action, claims 1-35 were rejected. In this response, new claims 36-38 are added. Reconsideration and allowance of claims 1-38 are respectfully requested in view of the above amendments and the following remarks.

The Applicant respectfully thanks the Examiner for the telephone interview conducted on Friday, June 30, 2006. While no particular agreement was made as to the form of allowable claims, the Applicant appreciates the issues raised by the Examiner and believes that the above amendments place this application in a condition for allowance.

Rejections under 35 U.S.C § 102(b)

Claims 1-9, 15-27, 29, 32-35 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,794,534 issued to Milheim ("Milheim"). This rejection is respectfully traversed because Milheim does not show all of the limitations recited in the claims.

Claim 1 recites a method for drilling a wellbore from an offsite location. The method includes selectively advancing a drilling tool, collecting wellsite parameters, transmitting at least a portion of the wellsite parameters to an offsite control center, performing an analysis of the wellsite parameters, and automatically adjusting the wellsite setup from the offsite center based on the analysis of the wellsite parameters.

Milheim does not disclose all of the limitations recited in claim 1. For example, Milheim does not disclose automatically adjusting the wellsite setup from the offsite center based on the analysis of the wellsite parameters. Milheim discloses performing simulations to determine the

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best corrective action to solve a problem. Once the best action is determined, it may be communicated to the wellsite "visually, audially, and/or graphically." (Col. 11, ll. 4-12). In fact, Milheim states that "the decisions effecting the drilling operation of the well are made at the wellsite by the engineer" (Col. 10, ll. 34-36, emphasis added), and that the engineers at the monitoring facility can very closely monitor the well and can help make decisions (Col. 10, ll. 41-43). Thus, because the corrective disclosed in Milheim requires a human driller to receive and implement the corrective action, it does not disclose automatically adjusting the wellsite setup from the offsite control center.

In addition, the Examiner stated that the limitations in claims 2 and 3 suggest "remote adjustment is not important." (Office Action at 4). The Applicant responds that the limitations in claims 2 and 3 show that other types of adjustments, used in conjunction with the automatic adjustment of the wellsite setup from an offsite center recited in claim 1, are not excluded from the scope of the invention. They do not signify the relative importance of any of the limitations in any of the claims. Further, the presence of the particular limitations in claims 2 and 3 has no bearing on the fact that Milheim does not disclose all of the limitations recited in claim 1.

Thus, claim 1 is patentable over Milheim. Dependent claims 2-18 are allowable for at least the same reasons.

Independent claim 19 is directed to a system for drilling a wellbore from an offsite location. The system includes a an offsite control center that has an offsite controller that is adapted to automatically adjust the wellsite setup according to the analysis of the wellsite parameters. As discussed above, Milheim does not disclose automatically adjusting the wellsite setup from the offsite control center.

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Thus, claim 19 is patentable over Milheim. Dependent claims 20-32 are allowable for at least the same reasons.

Independent claim 33 is directed to a method for drilling at least one wellbore at a wellsite from an offsite location. As with claim 1, claim 33 recites automatically adjusting the wellsite setup from the offsite center based on the analysis of the wellsite parameters. As discussed above, Milheim does not disclose automatically adjusting the wellsite setup from the offsite center.

Thus, claim 33 is patentable over Milheim. Dependent claims 34 and 35 are allowable for at least the same reasons.

Accordingly, withdrawal of the rejection of claims 1-9, 15-27, 29, 32-35 under § 102(b) is respectfully requested.

Rejections under 35 U.S.C § 103

Claims 10 and 28 were rejected under 35 U.S.C. § 103 as being unpatentable over the combination of Milheim in view of U.S. Patent No. 5,721,538 issued to Tubel ("Tubel"). Independent claims 1 and 19, from which claims 10 and 18 depend, have been shown to be patentable over Milheim because Milheim does not disclose automatically adjusting a wellsite setup from an offsite center. Tubel does not make up for this deficiency.

Tubel discloses a system for communication between one or more production wells (see Title, Abstract). A production well is a well through which hydrocarbons are produced to the surface. The wells have been drilled, and no more drilling is taking place. Thus, Tubel cannot teach or suggest automatically adjusting wellsite parameters in the process of drilling a well, and

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independent claims 1 and 19 are patentable over the combination of Milheim and Tubel. Dependent claims 10 and 28 are allowable for at least the same reasons.

Claims 11-14, 30, and 31 were rejected under 35 U.S.C. § 103 as being unpatentable over Milheim in view of U.S. Patent No. 5,864,772 issued to ("Alverado"). Independent claims 1 and 19, from which claims 11-14, 30 and 31 depend, have been shown to be patentable over Milheim because Milheim does not disclose automatically adjusting a wellsite setup from an offsite control center. Alverado does not make up for this deficiency.

Alverado teaches techniques for transmitting acquired data in near real time at a remote location. Alvarado does not teach or suggest automatically adjusting a wellsite setup or making adjustments from an offsite center. In fact, Alvarado fails to even contemplate any type of communication or action from the offsite center to the wellsite. Moreover, Alvarado relates to a wireline tool, not a drilling tool, and does not teach or suggest anything related drilling a wellbore.

Thus, claims 1 and 19 are patentable over the combination of Milheim and Alverado. Dependent claims 11-14, 30, and 31 are allowable for at least the same reasons.

Accordingly, withdrawal of the rejections of claims 10-14, 28, 30, and 31 under § 103 is respectfully requested.

New Claims

New claims 36-38 are added based on the telephone interview with the examiner as an alternate way for claiming the invention. Written description for new claims 36-38 may be found in the specification, for example in paragraphs [0046]-[0049]. No new matter is added.

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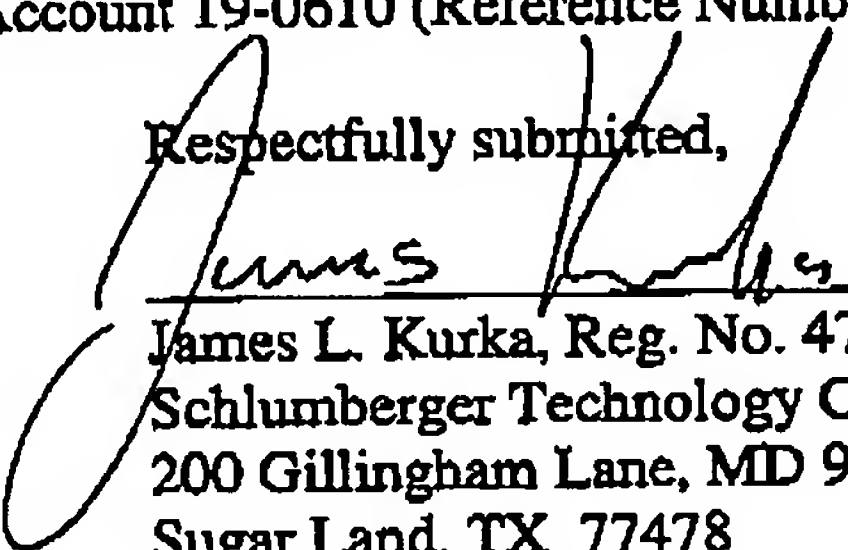
Extension of Time

The Applicant respectfully believes that the Response filed on July 3, 2006, properly included a Petition for Extension of Time. As such, this Request for Continued Examination is believed to be filed before any further extension fees are due. If this belief is incorrect, the Applicant respectfully requests that this submission be treated as the proper Petition for Extension of Time, and that the appropriate charges be applied to Deposit Account 19-0610 (Reference Number 19.0372).

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Applicant believes this reply to be fully responsive to all outstanding issues and place this application in condition for allowance. If this belief is incorrect, or other issues arise, do not hesitate to contact the undersigned at the telephone number listed below. Please apply any charges not covered or any credits, to Deposit Account 19-0610 (Reference Number 19.0372).

Date: 7/17/06

Respectfully submitted,


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